

Pro Se 14 (Rev. 12/16) Amended Complaint for Violation of Civil Rights (Prisoner)

UNITED STATES DISTRICT COURT

for the

District of Montana

Helena Division

Jonathan Andrew Peretto
AKA

Jonathan Andrew Klein Rabinowitz-Peretto

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Correctional Officers Eli Cooper

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Case No. 3

(to be filled in by the Clerk's Office)

AMENDED COMPLAINT FOR VIOLATION OF CIVIL RIGHTS (Prisoner)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

Pro Se 14 (Rev. 12/16) Amended Complaint for Violation of Civil Rights (Prisoner)

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Jonathan Andrew Perretto

All other names by which
you have been known:

Jonathan Andrew Klein Rabinowitz-Perretto

ID Number

3022186

Current Institution

Montana State Prison

Address

700 Conley Lake Rd.

Deer Lodge

City

MT

State

59722-8711

Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

FNU Cooper

Job or Title (*if known*)

Corrections Officer

Shield Number

Unknown

Employer

Montana State Prison

Address

700 Conley Lake Rd.

Deer Lodge

City

MT

State

59722

Zip Code



Individual capacity



Official capacity

Defendant No. 2

Name

N/A

Job or Title (*if known*)

Shield Number

Employer

Address

City

State

Zip Code



Individual capacity



Official capacity

Defendant No. 3

Name

N/A

Job or Title (if known)

Shield Number

Employer

Address

City

State

Zip Code

☐

Individual capacity

☐

Official capacity

Defendant No. 4

Name

N/A

Job or Title (if known)

Shield Number

Employer

Address

City

State

Zip Code

☐

Individual capacity

☐

Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐Federal officials (a *Bivens* claim)☒

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

First and Fourteenth Amendments to the United States Constitution

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.
-

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (*check all that apply*):

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☒ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other (*explain*)
-

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.
N/A
-

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.
See Attached
-

C. What date and approximate time did the events giving rise to your claim(s) occur?

See attached

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

See attached.

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Not Applicable

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

30B

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Amended Statement of Claim
With Legal Memorandum

1. On or about July 5, 2019, defendant Corrections Officer FNU Cooper inventoried the plaintiff's possessions as he was ~~per~~ placed ~~of~~ in Prehearing Confinement in the Special Adjustment Unit pending investigation for a PREA Complaint.
2. On or about July 8, 2019, the plaintiff was reclassified from Minimum 1 to Max Level 3 custody temporarily until his PREA investigation was completed.
3. When the plaintiff received his allowed property, his legal tote with approximately 1100 documents for Perfetto v. Marc Cosson, et al. case no. 14-cv-556-AI in United States District Court - District of New

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Hampshire; United States Court of Appeals for
The First Circuit Case No. 18-1124; affirmed
October 2, 2019; tab flex folders of about 500
documents (Court filings, letters to counsel and
research for brief) Perfetto v. Celia Englander, MD
Case no. 217-2016-cv-00366 in Merrimack County
Superior Court; New Hampshire Supreme Court Case no. 2018-
0442 and affirmed on or about June 23, 2019; and
5,735 documents in these boxes
Perfetto v. Helen Banks, Commissioner New Hampshire
Department of Corrections case no. 16-cv-473-SM in
United States District Court - District of New
Hampshire.

4. The Perfetto v. Marc Corson, et al. case alleged
(1)
detoxing from the following medications: Risperadol - an

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antipsychotic, (2) Tegretol - a mood stabilizer (3) Pristiq ~~and Pro~~ - an antidepressant and (4) Buspar - an anti-anxiety and (5) Depo Provera - a drug for sex offender ~~#~~ (chemical castration), resulting in loss of appetite and sleep, irritability and a hypermanic episode that lasted three and a half months; as well as losing a lawsuit due to the statute of limitations expiring that alleged false arrest. (See Perfetto v. New Hampshire Department of Corrections, Commissioner, et al 14-cv-00080, 14-cv-481-TD in United States District Court - District of New Hampshire for filing a false PREA report in October 2008 and was found consensual in May 2009; even though an inmate can not consent to

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sexual activity.

5. The false arrest lawsuit was sent to Hillsborough County Superior Court in Manchester, New Hampshire sometime in November 2009, while at Hillsborough County Jail and wanted to mail it certified, but was denied; even though the plaintiff had funds in his account and that court never received it.

6. The ^{Dr. Celia} Peretto v. Englander case alleged medical negligence in that on August 11, 2012, the plaintiff was rushed to Concord Hospital with 107.4 fever from having MRSA in his blood that caused sepsis. Two weeks prior Dr. Celia Englander diagnosed him with Cellulitis

6. Peretto v. Helen Hank's, Commissioner New Hampshire

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~~Defendant~~ Department of Corrections case is the plaintiff's criminal appeal that alleged ineffective assistance of counsel.

Request For Relief

1. The plaintiff seeks \$23,500 in ~~Compensa-~~
tory Damages (500 pages of original copies and
research for ^{the} Perfetto v. Celia Englander, MD case
@ \$75/document (self-made paralegal fee).
2. Finally, the plaintiff seeks \$75,000 in punitive
damages for a grand total \$98,500.

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Montana State Prison

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☒ Yes

☐ No

☐ Do not know

If yes, which claim(s)?

Loss of legal fee (only claim)

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- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☐ No

- E. If you did file a grievance:

1. Where did you file the grievance?

While in ~~the~~ Special Adjustment Unit

2. What did you claim in your grievance?

That ~~Cooper~~ who inventoried my property - lost or misplaced my legal tote

3. What was the result, if any?

~~denied at first level~~ ~~Not~~ First level not answered

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)
- Filed second level and ~~is~~ improperly not processed. NOT PROCESSED
grievances cannot be appealed

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

Not applicable

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

Not Applicable

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies. *The second level grievance was not processed as I signed waiver of liability, & my ideology was I'm only max custody temporarily and would repeat the legal take missing when housed in my new unit; which I did on 10/29 or 30/19.*

Wrote in error, corrected on separate page

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

§ 111
G.

Per Montana State Prison's grievance policy, when a first level grievance ~~is~~ is not ~~within~~ answered within twenty business days, the person answering the grievance has an addition five business days to answer.

If not answered in twenty-five business days, I may file a second level grievance within five business days and attach the Pink "my copy" copy of the first level grievance.

My ~~Informal~~ first level grievance was filed on ~~7~~ July 25, 2019. This means I should have gotten a response by September 1, 2019. I filed my second level grievance on September 5, 2019 which is within five business days. The second level grievance was improperly "Not Processed as untimely" by Grievance Coordinator Mark Lockerie.

Pro Se 14 (Rev. 12-1-20) ~~Complaint for Violation of Civil Rights (Prisoner)~~

- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☒ Yes

☐ No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) Jonathan Andrew Padetto

Defendant(s) Correctional Officer FNU Cooper

2. Court (if federal court, name the district; if state court, name the county and State)

Deer Lodge District Court Powell County Montana

3. Docket or index number

DV-22-64

4. Name of Judge assigned to your case

Unknown

5. Approximate date of filing lawsuit

July 22, 2022

6. Is the case still pending?

☒ Yes

☐ No

If no, give the approximate date of disposition.

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

Still pending

- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

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☒ Yes☐ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) Jonathan Andrew Petello

Defendant(s) Bruce Catell, Warden New Hampshire State Prison et al.

continued on separate sheet of paper

2. Court (if federal court, name the district; if state court, name the county and State)

United States District Court District of New Hampshire

3. Docket or index number

06-CV-307-SM

4. Name of Judge assigned to your case

Steve McAuliffe

5. Approximate date of filing lawsuit

November 5, 2006

6. Is the case still pending?

☐ Yes

☒ No

If no, give the approximate date of disposition

June 20, 2009

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?) Dismissed, appealed and affirmed

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- i. Corrections Officer FNU Ash
- ii. Corrections Officer FNU Fedele
- iii. Corrections Dany Charter
- iv. Corrections Officer FNU Moyer
- v. Corrections Officer John Doe
- vi. Sergeant FNU Bell
- vii. Sergeant FNU Washburn
- viii. Unit Manager FNU Billideaux
- ix. Case Counselor/Case Manager Robert McGrath
- x. Corporal FNU O'Brien
- xi. Correctional Officer Michaud
- xii. Corporal FNU Brown
- xiii. Correctional Officer Marsh
- xiv. Correctional Officer FNU Edsil
- xv. Correctional Officer FNU Wheeler
- xvi. Sergeant FNU Edmark
- xvii. Unit Manager FNU Moquin
- xviii. Corporal FNU Gauthier
- xix. Correctional Officer FNU Parent
- xx. Correctional Officer Isabelle
- xxi. Correctional Officer FNU Flynn
- xxii. Field Training Officer FNU Isman
- xxiii. Corporal FNU Valente
- xxiv. Corrections Officer FNU Penon
- xxv. Corrections Officer FNU Leitner

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XXvi. Corporal FNU Mosher
XXvii. Corrections Officer FNU Mallette

Second Lawsuit

1. Parties to Previous lawsuit
2. Plaintiff(s): Jonathan Andrew Perfetto
- Defendant(s) Superintendent James O'Mara
- ii. Assistant Superintendent Dave Dionne
- iii. Field Training Officer FNU Ellis
- iv. Corrections Officer FNU Lucas
- v. Corrections Officer FNU Crowell
- vi. Corrections Officer FNU Goodyear
- vii. Corrections Officer FNU Price
- viii. Corrections Officer FNU Sappienza
- ix. Corrections Officer FNU Goulding
- x. Lieutenant FNU Boyer
- xi. Chief of Security Captain Gifford Hiscoe
- xii. Chief of Operations Captain Marc Cusson
- xiii. Medical Administrator Denise Ryan
- xiv. Medical Director Bill Fuller
- xv. Dr. FNU Turnbull
- xvi. Dr. Matthew Masevic
- xvii. Lieutenant FNU Robbins
- xviii. Sergeant FNU Brown
- xix. Lieutenant FNU Reilly
- xx. Corrections Officer FNU Plimpton

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- xxi. Field Training Officer FNU Mackey
- xxii. Mental Health Clinician Christine Melnick
- xxiii. Corrections Officer John Doe
- xxiv. Field Training Officer John Doe
- xxv. Sergeant John Doe
- xxvi. Mail Clerk Jane Doe
- xxvii. Walter Alexis
- xxviii. Paul Dimmick

2. Court ~~States~~
~~United District~~ District Court District of
New Hampshire

3. Docket or index number
12-cv-393-JL & 14-cv-556-AJ

4. Name of Judge assigned to the case
Joseph E. La Plante & Andrea Johnson

5. Approximate date of filing lawsuit
October 12, 2012 & December 20, 2014

6. Is the case still pending
No

If no, give the approximate date of disposition

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October 2, 2019

7. What was the result of the case?
~~Dismiss~~ RWIPA claim settled, withdrew
staff assault claim. All other claims
dismissed and appealed. This was
affirmed

Third lawsuit

1. Parties in previous lawsuit
Plaintiff(s): Jonathan Andrew Perletto
Defendant(s): New Hampshire Department
of Corrections, Commissioner
ii. New Hampshire State Prison Investi-
gations Bureau
iii. New Hampshire State Police
2. Court
United States District Court - District of
New Hampshire
3. Docket or index number
14-cv-481-ID
4. Name of Judge assigned to your case

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4. Joseph DiClerico

5. Approximate Date of filing lawsuit
December 17, 2014

6. Is the Case still pending?
No

If no, give the approximate date of
disposition
February 3, 2015

7. What was the result of the case?
Dismissed at the statute of limitations
expired. I did not appeal

Fourth Lawsuit.

- i. Parties to the previous lawsuit
Plaintiff(s) Jonathan Andrew DeRitto
Defendant(s) Commissioner William Wrenn
- ii. Commissioner Designee Christopher H.
Kench
- iii. Classifications Director Kim LaCasse
- iv. Former Medical and Forensics Services
Director Helen Hanks
- v. Former Northern New Hampshire

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- Correctional Facility Warden Ed Reilly
- vi. Northern New Hampshire Correctional Facility Chief of Security FNU Lambertson
 - vii. Northern New Hampshire Correctional Facility Shift Commander Lieutenant FNU Bolla
 - viii. Northern New Hampshire Correctional Facility Lieutenant FNU ~~Bolla~~ Masse
 - ix. Northern New Hampshire Correctional Facility Corporal John Doe
 - x. Northern New Hampshire Correctional Facility Sergeant John Doe
 - xi. Northern New Hampshire Correctional Facility Correctional Officer John Doe
 - xii. Northern New Hampshire Correctional Facility Correctional Facility Officer Jane Doe
 - xiii. Northern New Hampshire Correctional Facility Hearings Officer FNU Fortier
 - xiv. Northern New Hampshire Correctional Facility Case Counselor / Case Manager Angela Watson
 - xv. Northern New Hampshire Correctional Facility Case Counselor / Case Manager Sue Perrault
 - xvi. New Hampshire State Prison Warden

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- Richard Gerny
- xvii. New Hampshire State Prison Chief Of Security Jon Foubt
 - xviii. New Hampshire State Prison Reception & Diagnostics Unit Manager Kathleen Anderson
 - xix. New Hampshire State Prison Lieutenant John Morin
 - xx. New Hampshire State Prison Hearings Officer FNU Hickman
 - xxi. Special Housing Unit Captain Ron Gagliardi
 - xxii. Special Housing Unit Joe Michael
 - xxiii. New Hampshire State Prison Sergeant FNU Marshall
 - xxiv. New Hampshire State Prison Corporal Scott Towers
 - xxv. New Hampshire State Prison Corporal Craig ~~Orlando~~
 - xxvi. New Hampshire State Prison Correctional Officer FNU Nemonowski
 - xxvii. New Hampshire State Prison Correctional Officer FNU Welch
 - xxviii. New Hampshire State Prison Correctional Officer FNU Aulis
 - xxix. New Hampshire State Prison Case Counselor/Case Manager Tara Whiting

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- XXX. Secure Psychiatric Unit Administrator
Kevin Stevenson
 - XXXi. Secure Psychiatric Unit Manager
Paul B. Cascio
 - XXXii. Secure Psychiatric Unit Sergeant FUU
Brown
 - XXXiii. Secure Psychiatric Unit Sergeant Eric
Barboro
 - XXXiv. Secure Psychiatric Unit Corporal
Stacie LaMontagne
 - XXXV. Secure Psychiatric Unit Corporal FUU
Coreless
 - XXXvi. Secure Psychiatric Unit Sergeant FUU
Carver
 - XXXvii. Secure Psychiatric Unit Corporal FUU
Fleury
 - XXXviii. Secure Psychiatric Unit Corporal FUU
Kimball
 - XXXix. Secure Psychiatric Unit Property Officer
Jeff Dianne
 - xl. Secure Psychiatric Unit Correctional
Officer FUU Murray
 - xli. Secure Psychiatric Unit Correctional
Officer FUU Densmore
 - xlii. Secure Psychiatric Unit Correctional
Officer FUU Bernstein

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xliii. New Hampshire State Prison

Physician Celia Englander

xliv. New Hampshire State Prison Health
Services Officer Center Nurse Chris
LNU

xlv. Former New Hampshire State Prison
Physician John Eppolito

xlvi. ~~New Hampshire~~ Secure Psychiatric Unit
Correctional Officer Ed Kircaine

xlvii.

2. Court

United States District Court District
of New Hampshire

3. Docket or index number
15-cv-244-JL

4. Name of Judge assigned to the case
Joseph LaPlante

5. Approximate date of filing lawsuit
April 4, 2015

6. Is the case still pending?

No

If no, give the approximate date of
disposition

December 30, 2015

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7. What was the result of the case
All claims except my medical claim
was dismissed. The medical claim was
dismissed without prejudice to refile
in state court of competent jurisdiction

Fifth lawsuit

1. Parties to the previous lawsuit
Plaintiff(s): Jonathan Andrew Perfetto
Defendant(s): William E. Bennett, Sr.
 J. Jacqueline A. Bennett
2. Court
United States District Court - District of
New Hampshire
3. Docket or index number
15-cv-345-PB
4. Name of Judge assigned to the case
Paul Barbadoro
5. Approximate date of filing lawsuit
July 15, 2015
6. Is the case still pending
No

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If no, ~~provide~~ the approximate date of disposition
December 29, 2015

7. What was the result of the case?
Dismissed for lack of jurisdiction. I did not appeal

Sixth Lawsuit

1. Parties to Previous lawsuit

Plaintiff(s): Jonathan Andrew Perletto

Defendant(s): Secure Psychiatric Unit

Unit Manager Paul S. Cascio

ii. Secure Psychiatric Unit Sergeant FNU Brown

iii. Secure Psychiatric Unit Sergeant Eric Barbara

iv. Secure Psychiatric Unit Sergeant FNU Carver

v. Secure Psychiatric Unit Corporal Stacie LaMontagne

vi. Secure Psychiatric Unit Corporal FNU Corneless

vii. Secure Psychiatric Unit Corporal FNU Fleury

viii. Secure Psychiatric Unit Corporal FNU Kimball

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- ix. Secure Psychiatric Unit Correctional
Officer FNU Bernstein
- x. Secure Psychiatric Unit Correctional
Officer Ed Kinnane
- xi. New Hampshire State Prison Canteen
Officer FNU Skopje
- xii. New Hampshire State Prison Canteen
Supervisor Ed Hager
- xiii. New Hampshire State Prison Warden
Richard Gerry
- xiv. New Hampshire Department of Corrections
Commissioner Designee Director Chris
Kench

2. Court

Merrimack County Superior Court
New Hampshire

3. Docket or index number
2015-cv-00397

4. Name of Judge assigned to case
Varied

5. Approximate date of filing lawsuit
July 27, 2015

6. Is the case still pending

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No.

If no give the approximate date of disposition

September 30, 2016

7. What was the result of the case?

Case was dismissed for lack of prosecution

Seventh Lawsuit

1. Parties to previous lawsuit

Plaintiff(s): Jonathan Andrew Perletto

Defendant(s): Celia Englander, MD

2. Court

Maximack County Superior Court New Hampshire

3. Docket or index number

2016-CV-00356

4. Name of Judge assigned to the case

Varies

5. Approximate date of filing lawsuit

June 10, 2016

6. Is the case still pending?

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No
If no, give the approximate date of
disposition
June 21, 2018

7. What was the result of the case

Dismissed as statute of limitations expired. I
appealed and was affirmed

Eighth lawsuit

1. Parties to the previous lawsuit

Plaintiff(s): Jonathan Andrew Perfetto

Defendant(s): New Hampshire Department of
Corrections Commissioner, Helen Hanks

ii. Former New Hampshire Department of
Corrections Commissioner William Wrenn

iii. New Hampshire Department of Corrections
Director Christopher H. Kersch

iv. New Hampshire Department of Corrections
Special School District Principal Eric Davis

v. New Hampshire Department of Corrections
Special School District Director Kim
McKay

vi. Medical and Forensic Services Director Paula
Matis

vii. Medical and Forensic Services Deputy Director
Hedie Guimaraes

vii

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~~ix~~ New Hampshire State Prison Interstate
Compact Coordinator Jane Doe

ix. Secure Psychiatric Unit Unit Manager
Captain FNU Marshal

~~x~~ Secure Psychiatric Unit Acting
Lieutenant Eric Probert

xi. Secure Psychiatric Unit Sergeant FNU
Carver

xii. Secure Psychiatric Unit Corporal FNU
Murray

xiii. Secure Psychiatric Unit Corporal Stacie
LaMontagne

xiv. Secure Psychiatric Unit Nursing Supervisor
Ann-Marie LNU

xv. Secure Psychiatric Unit Administrator Debbie
Robinson

xvi. Residential Treatment Unit Mental Health
Clinician Lindsey Jordan

xvii. Former New Hampshire State Prison Warden
Michael Zenk

xviii. New Hampshire State Prison Unit Manager
Robert McGrath

xix. New Hampshire State Prison Lieutenant
Jim Brown

xx. New Hampshire State Prison Corporal Mark
Kimball

xxi. New Hampshire State Prison Corporal FNU
Kratovil

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- xxii. New Hampshire State Prison Captain
FNU Edmark
- xxiii. New Hampshire State Prison
Corporal John/Jane Doe
- xxiv. New Hampshire State Prison Gerald
Williams
- xxv. New Hampshire State Prison Sergeant FNU
Bettens
- xxvi. New Hampshire State Prison Sergeant
FNU Wilcox
- xxvii. New Hampshire State Prison Corrections
Officer FNU LaMontagne
- xxviii. New Hampshire State Prison Librarian John
Parkins
- xxix. Career & Technology Programs Director
-Jay Nagy
- xxx. New Hampshire State Prison Case
Counselor/Case Manager Glen Matthews
- xxxi. New Hampshire State Prison Case Counselor/
Case Manager Joseph Iroizian
- xxxii. New Hampshire State Prison Medical
Records Director Traci Guilbette
- xxxiii. New Hampshire State Prison Medical Records
Clerk John/Jane Doe
- xxxiv. Montana State Prison Medical Records Clerk
Amy B. LNU
- xxxv. New Hampshire State Prison Inmate Accounts
Clerk Jane Doe

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XXXvi. New Hampshire State Prison Offender
Records Clerk Cindy Crompton

XXXvii. New Hampshire State Prison
Offender Records Clerk FNU Drury

XXXviii. New Hampshire State Prison
Offender Records Clerk John/Jane
Doe X2

XXXix. New Hampshire State Prison
Warehouse Supervisor John/Jane Doe

xi. Former New Hampshire Correctional
Facility Michelle Goings

xli. Northern New Hampshire Correctional
Facility Chief of Security Jon Smith

xlii. Northern New Hampshire
Correctional Facility Lieutenant
John Jane Doe

xliii. Northern New Hampshire Correctional
Facility Sergeant FNU Swartz

xliiv. Northern New Hampshire Correctional
Facility Hearings Officer FNU Fortier

xli. Northern New Hampshire Correctional
Facility Media Specialist Angela Redin

xli. Northern New Hampshire Correctional
Facility Programs Administrator John/
Jane Doe

xlii. Northern New Hampshire Correctional
Facility Psychiatrist Dr. Garrett Graves

xliii. Northern New Hampshire Correctional

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Facility Mental Health Clinician Charles
Nickerson

xlix. Montana Department of Corrections

Director Reginald Michael

to Montana Department of Corrections

Warden Lyn Guyer

2. Court

~~New Hampshire Department of Corrections~~
United States District Court - District
of New Hampshire

3. Docket or index number

18-cv-554-SE

4. Name of Judge Assigned to case

Samuelha D. Elliot

5. Approximate Date of Filing lawsuit

June 13, 2022

6. Is the case still pending?

yes

7. What was the result of the case

Still Active

Ninth lawsuit

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1. Parties to Previous lawsuit

Plaintiff(s): Jonathan Andrew Perletto

Defendant(s): New Hamp Residential
Dis Treatment Unit Sergeant FNU
Wilcox

ii. New Hampshire State Prison Corporal
FNU Mark Kimball

iii. New Hampshire State Prison Corporal
FNU Kratovil

2. Court

United States District Court District
of New Hampshire

3. Docket or index number

20-cv-525-SM

4. Name of Judge assigned to the case

Stephen McAuliffe

5. Approximate date of filing lawsuit

May 3, 2020

6. Is the case still pending?

Yes

7. What was the result of the case?

This lawsuit was severed from 18cv-554

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SE during preliminary review on April 27, 2020 and is waiting preliminary review

Tenth lawsuit

1. Parties to the previous lawsuit

Plaintiff(s) Jonathan Andrew Perfetto

Defendant(s) New Hampshire State Prison and
for Secure Psychiatric Unit John/Tane Doe

ii. New Hampshire State Prison and/or Secure
Psychiatric Unit Medical Provider John/Tane
Doe

2. Court

United States District Court - District of
New Hampshire

3. Docket or index number

20-cv-526-JD

4. Name of Judge assigned to case?

~~This lawsuit was severed from 18-cv-544~~

~~SE during preliminary review on April 27, 2020~~

~~and is waiting preliminary review~~

~~Joseph DiClerico~~

5. Approximate Date of Filing lawsuit

May 3, 2020

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6. Is the case still pending?
Yes

7. What was the result of the case?

This lawsuit was severed from 18-cv-554-SE during preliminary review on April 27, 2020 and is waiting preliminary review

Eleventh Lawsuit

1. Parties to previous lawsuit

Plaintiff(s) Jonathan Andrew Perfetto

Defendant(s) Northern New Hampshire

Correctional Facility Psychiatrist Dr. Garrett Graves

ii. ~~Northern New Hampshire~~ Correctional Facility Mental Health Clinician Charlene Nickerson

2. Court

United States District Court - District of New Hampshire

3. Docket number or index number

20-cv-5257-JL

4. Name of Judge assigned to case

Joseph La Plante

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5. Approximate date of filing lawsuit
May 3, 2020

6. Is the case still pending?
Yes

7. What was the result of the case?
This lawsuit was severed from 18 cv-554-SE during preliminary review on April 27, 2020 and is waiting preliminary review

Twelfth lawsuit

1. Parties to previous lawsuit
Plaintiff(s): Jonathan Andrew Peretto
Defendant(s) Northern New Hampshire
Correctional Facility Medical Sergeant Angela
Podin
ii. Northern New Hampshire Correctional Facility
Captain ENU Smith
iii. Northern New Hampshire Correctional
Facility ENU Swett

2. Court
United States District Court District of
New Hampshire

3. Docket or index number

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20-cv-528-PB

4. Name of Judge assigned to this case
Paul Barbadora

5. Approximate date of filing lawsuit
May 3, 2020

6. Is the case still pending?
Yes

7. What was the result of the case
This lawsuit was severed from 18-cv-554-SE
during preliminary review on April 27, 2020 and
is awaiting preliminary review

Thirteenth lawsuit

1. Parties of previous lawsuit

Plaintiff(s) Jonathan Andrew Bafette

Defendant(s) Case Counselor/Case Manager
Christine Bump

ii. Legal Counsel for the State of New Hampshire
Department of Corrections John/Jane Doe

iii. New Hampshire State Prison Interstate
Compact Coordinator John/Jane Doe

iv. ~~De~~ New Hampshire Department of Corrections
Parole Board Member Horace F. Enriques

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- v. New Hampshire State Prison Education
Director Laura Hardwick
- vi. New Hampshire Department of Corrections
Director Christopher H. Ketch
- vii. Case Counselor/Case Manager Joseph
Toniziani
- viii. New Hampshire Department of Corrections
Medical and Forensic Services Director
Paula Mattis
- ix. New Hampshire Department of Corrections
Commissioner Helen Hanks
- x. New Hampshire Department of Corrections
Parole Board Member Roger Phillips
- xi. New Hampshire Department of Corrections
Parole Board Member Jennifer Sargent

2. Court

United States District Court - District of
New Hampshire

3. Docket or index number

22-cv-128-JL

4. Name of Judge assigned to case

Joseph LaPlante

5. Approximate date of filing lawsuit

April 21, 2022

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6. Is the case still pending?
Yes

7. What was the result of the case?
waiting preliminary review

Four ~~8~~teenth Lawsuit

1. Parties to previous lawsuit

Plaintiff(s): Jonathan Andrew Perfecto

Defendant(s): Residential Treatment

Unit Mental Health Clinician Linsey
Jordan

ii. ~~Secare~~ Psychiatric Unit Administrator
Debbie Robinson

iii. New Hampshire Department of
Corrections Medical and Forensic
Services Paul Mallis

2. Court

Concord District Court Merrimack
County ~~Sta~~ New Hampshire

3. Docket or index number
don't recall

4. Name of Judge assigned to case
Do not recall

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5. Approximate date of filing lawsuit
September 13, 2020

6. Is the case still pending
No

If no, give the approximate date of
resolution

December 20, 2020

~~7. What~~

7. What was the result of the case

The case was dismissed due to I
should have filed a claim using the New
Hampshire Department of Corrections
claims process. I did not appeal

Fifteenth lawsuit.

1. Parties to the previous lawsuit

Plaintiff(s): Jonathan Andrew Bedette

Defendant(s): Montana State Prison Sergeant
FNU McDonald

2. Deer Lodge District Court Powell County
Montana

3. Docket or index number
DV-22-07

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4. Name of Judge Assigned to case
Unknown as I have not had a hearing
scheduled

5. Approximate date of filing lawsuit
April 14, 2022

6. Is the case still pending?
Yes

7. What was the result of the case?
Waiting a court date

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: October 20, 2022

Signature of Plaintiff

Printed Name of Plaintiff

Prison Identification #

Prison Address

Jon A. Pa
Jonathan Andrew Perfetto
3022186
700 Conley Lake Rd
Deer Lodge MT 59722
City State Zip Code

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address